IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRITS No. 3866 of 2004

ANWAR HUSSAIN
V/S
THE CIVIL JUDGE(J.D.)& J.M.BIKANER & ORS

Mr. MANOJ BHANDARI, for the petitioner

Date of Order : 10.9.2004

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the petitioner and perused the impugned order Annexure-8.

The learned trial court has already clarified that the controversy sought to be raised by the petitioner as to whether he is a direct tenant of the plaintiff is already covered by issue no.1, it is obvious that the petitioner has opportunity to establish his case by leading evidence in rebuttal of evidence of issue no.1.

In that view of the matter, I do not find any sufficient ground to interfere in the writ jurisdiction. The writ petition is, therefore, dismissed. The learned trial court is, however, directed to expeditiously decide the main suit.

(N P GUPTA),J.

/Sushil/